

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

COUTRERAS ESTRADA GUSTAVO,

Plaintiff,

v.

AW C. MORROW,

Defendant.

Case No. 2:11-CV-01535-KJD-VCF

ORDER

Before the Court are Plaintiff's Motion to Strike (#8) and Plaintiff's Motion for Relief Under Rule 60(b) (#9). No oppositions have been filed.

Plaintiff filed a Motion to Dismiss (#6) his case without prejudice. The Court granted the Motion (#7). Plaintiff now seeks to have the dismissal set aside, claiming that he filed the Motion to Dismiss under a mistaken belief that his § 1983 claim was premature. Reconsideration of a previous order is an "extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources." Carroll v. Nakatani, 342 F.3d 934, 945 (9th Cir.2003). Because the claims were dismissed without prejudice, if Plaintiff wishes to proceed he must re-file the complaint.

Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's Motion to Strike (#8) and Motion for Relief Under Rule 60(b) (#9) are **DENIED**.

DATED this 24th day of May 2012.



Kent J. Dawson
United States District Judge